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Elections to fill vacancies in subsidiary organs and other elections: election of fourteen members of the Human Rights Council

Note verbale dated 10 August 2016 from the Permanent Mission of Egypt to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Arab Republic of Egypt presents its compliments to the Office of the President of the General Assembly, and has the honour to remind of the decision of the Government of the Arab Republic of Egypt to present its candidature for election as a member of the Human Rights Council, on one of the seats allocated for the African States, for the term 2017-2019, at the elections taking place during the seventy-first session of the General Assembly, in 2016 in New York.

Egypt's candidature to the Human Rights Council is endorsed by the African States (see African Union decision No. EX.CL/Dec.917(XXVIII)Rev.2) and by the Arab Group (see Ministerial Council of the Gulf Cooperation Council decision No. 8025 of 11 March 2016).

Furthermore, and in accordance with General Assembly resolution 60/251, enclosed herewith is a copy of the voluntary pledges and commitments of the Government of Egypt for the promotion and protection of human rights (see annex).

The Permanent Mission of Egypt should be grateful if the present note verbale and its annex could be circulated as a document of the General Assembly, under agenda item 114 (d).

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Annex to the note verbale dated 10 August 2016 from the Permanent Mission of Egypt to the United Nations addressed to the President of the General Assembly

Candidature of Egypt to the Human Rights Council, 2017-2019

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

I. Framework of action

1. With a belief in the importance of the visions and hopes of the people in shaping their future and the role of international cooperation in empowering States to fulfil the aspirations of their people in peace, security, development and human rights, Egypt would like to present its candidature for membership in the Human Rights Council for the period from 2017 to 2019.

2. Egypt is a founding member of and an active player in the United Nations and other regional and international organizations. Egypt is a State party to almost all main international human rights instruments[a] and has an important continuous

[a] The following is a list of the international human rights instruments ratified by Egypt:
- The Slavery Convention, 1926
- The Protocol amending the Slavery Convention, 1926
- International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour, 1930
- The Convention on the Prevention and Punishment of the Crime of Genocide, 1948
- The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949
- The 1951 Convention relating to the Status of Refugees
- The Convention on the Political Rights of Women, 1953
- The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956
- International Labour Organization Convention No. 105 concerning the Abolition of Forced Labour, 1957
- The International Convention on the Elimination of All Forms of Racial Discrimination, 1965
- The International Covenant on Civil and Political Rights, 1966
- The International Covenant on Economic, Social and Cultural Rights, 1966
- The 1967 Protocol to the 1951 Convention relating to the Status of Refugees
- The International Convention on the Suppression and Punishment of the Crime of Apartheid, 1973
- The Convention on the Elimination of All Forms of Discrimination against Women, 1980
- The African Charter on Human and Peoples' Rights, 1981
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984
- The International Convention against Apartheid in Sports, 1985
- The Convention on the Rights of the Child, 1990
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990
- The African Charter on the Rights and Welfare of the Child, 1990
- The outcome of the First Arab High-level Conference on Children, 1992
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000
- The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000.

contribution in the formulation of the international human rights instruments and the global human rights agenda, including the establishment of the Human Rights Council and the formulation of its working mechanisms. It has never spared an opportunity to build bridges between different groups and cooperate with various stakeholders to promote and support the role of the Council and further the goals of the United Nations in the field of human rights, being one of the three pillars of the Organization.

3. Egypt's candidature comes at a special moment in the lives of millions of people in Africa, the Middle East and the developing world at large, whose lives are deeply affected by the current global challenges, including the current influxes of refugees, asylum seekers and migrants, neglect of the needs of the developing countries in this regard, including their collective right to development, the evolving trends of discrimination and racism, the threats of extremism and terrorism and the continuing situations of foreign occupation. Hence, it is with great honour that Egypt received the endorsement of the African Union during the summit held in Addis Ababa in January 2016 as one of the 13 representatives of the continent in the membership of the Council during the period 2017-2019.

4. If elected to the Human Rights Council, Egypt will work constructively with all parties, on the basis of dialogue and cooperation towards better understanding and action, to remove obstacles to the full realization of human rights and fundamental freedoms for all. Egypt will also focus on the assistance needed for States to fulfil their human rights obligations, will confront human rights violations whenever and wherever they occur, will remain supportive of key thematic initiatives within the Council, including issues of special importance to countries in its regional and cultural spheres, and will continue to work on addressing emerging challenges while ensuring the full respect of international human rights law and addressing the root causes of such challenges. It will strive to ensure that due focus is given to a host of issues, including economic, social and cultural rights, gender equity, the empowerment of women and the enjoyment of human rights by children, youth, older persons, migrants and persons with disabilities.

II. Egypt undertakes the following commitments

5. At the international and the regional levels, the Government of Egypt will:

(a) Pursue its efforts as an advocate of a strong and effective United Nations, including the Human Rights Council and its mechanisms, especially in the first year after the tenth anniversary of its inception, the human rights treaty bodies and other human rights-related mechanisms. It will be guided in this process by a firm conviction in the principles of universality, indivisibility, interrelatedness, interdependence and mutual enforceability of human rights and the need to work through constructive dialogue and international cooperation with all relevant parties to ensure the full realization of the goals for which the Council was created;

(b) Support the work of the United Nations High Commissioner for Human Rights in fulfilling his mandate, as stipulated in General Assembly resolution 48/141, and towards that goal engaging positively and constructively with him and his Office;

(c) Promote the constructive role of non-governmental organizations (NGOs) and civil society at large in the promotion of human rights at all levels, in accordance with national laws and regulations;

(d) Lead efforts and engage in partnerships to ensure that the Human Rights Council continues to function effectively and efficiently and is capable of promoting and protecting human rights and fundamental freedoms without distinction between rights or among people. Egypt has played a key role in the advancement of human rights and fundamental freedoms, starting from the formulation of the Charter of the United Nations and the Universal Declaration of Human Rights, until today. For instance, it was the party that demanded the universal nature of the Declaration and, more recently, its expertise contributed to the development of the standard-setting mandate of the Human Rights Council, based on a firm belief in the indivisibility of all human rights, the prospect of hope associated with the Human Rights Council since its inception and a strong belief in the importance of its role. Over the past decade, the initiatives Egypt led and supported in the Human Rights Council were a reflection of this firm belief. For instance, Egypt introduced, during the thirty-first regular session, the resolutions on the right to work and the effects of terrorism on the enjoyment of human rights in an attempt to focus on key challenges affecting two fundamental human rights around the globe. It addressed in another resolution, on behalf of the African Group, the challenges posed by the negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation in order to address the impact of the issue on human rights. A similar approach was adopted in the resolutions on the protection of the family, the third of which was adopted by the Human Rights Council at its thirty-second regular session, in July 2016, and on the protection of journalists during armed conflicts. Egypt continues to co-lead a number of important initiatives, such as those on local government and human rights, youth and human rights, and access to medicines in the context of the right to the highest standard of physical and mental health. Equally, Egypt has engaged regularly with different groups to enable the Council to reach an agreement in situations in which such a result did not seem achievable, including, for instance, Human Rights Council resolution 12/16 on freedom of opinion and expression, which Egypt jointly developed and introduced to the Council, and its role in the formulation of resolution 23/2, on the role of freedom of opinion and expression in women's empowerment, and resolution 16/18, on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief;

(e) Promote constructive dialogue and cooperation, including through sharing good practices, technical cooperation and capacity-building, in addressing the challenges facing Member States, in a manner that respects the mandate of the Council and the importance of avoiding the shortcomings that led to the failure of the Human Rights Commission. It has regularly stood against the selective targeting of States on the basis of political considerations or motives. On the other hand, it has also not shied away from engaging in situations of special concern and where there is a need to encourage an adequate international response while taking into account the different respective mandates of United Nations bodies, in addition to the contribution that regional organizations and mechanisms can provide in this respect;

(f) Continue cooperation with Member States concerning the strengthening of the United Nations treaty body system, and provide adequate support for United Nations agencies, programmes and funds that contribute to the promotion of human rights;

(g) Work with relevant stakeholders to address the financial and institutional challenges facing the Office of the United Nations High Commissioner for Human Rights (OHCHR), treaty bodies, and the Human Rights Council and its subsidiary bodies and mechanisms within the context of their respective mandates; in this context, the Egyptian Government has decided to support the work of the High Commissioner by providing a financial contribution of $30,000 for the period 2017-2019 for the first time, notwithstanding the economic situation;

(h) Ensure that due attention is given to issues of particular importance in the context of globalization and several emerging challenges affecting the lives of millions around the globe, including the threats posed by terrorist groups and similar organizations, the recurrence of many manifestations of discrimination in regular and new forms, including racism and xenophobia, the illegal exploitation of natural resources and challenges facing the realization of economic, social and cultural rights and the right to development, as well as the role of key actors and institutions in society in the protection and promotion of human rights;

(i) Continue to support initiatives and processes, at the international, regional and local levels, to advance the empowerment of women and equality between men and women and provide adequate protections for the rights of the child and persons in vulnerable situations, such as persons with disabilities, older persons, youth and the impoverished segments of societies. Egypt's role as a pioneer of such causes at the regional and international levels is strongly supported by domestic developments in these areas. Women represent over 15 per cent of the membership of the Egyptian Parliament for the first time in its history. Laws have recently been issued to invigorate penalties, and prevention mechanisms relevant to cases of violence against women have been established. The Constitution enforces the full equality of women with men and prohibits any form of discrimination against them. It further provides protection against all forms of violence against women and special care and attention in cases of motherhood, childhood, female heads of families, women as part of the elderly population and women with disabilities. Such developments reflect the wide participation of women in all aspects of life, including the formulation of the Constitution itself. It is worth noting that similar protection and examples of empowerment are not exclusive to women and their rights, but extend to children, persons with disabilities, elderly people, youth and the poor. This national commitment is fully reflected in Egypt's interactions in different international forums, including the Human Rights Council;

(j) Contribute to the enhancement of the system of international protection for migrants, refugees and asylum seekers, and strengthen the relevant norms and standards under the applicable international law. In this context, the Egyptian Government has embarked on a process of developing a national strategy for combating trafficking in persons and another national strategy aimed at combating illegal migration;

(k) Build cross-regional partnerships to support the economic, social and cultural rights of all, including through addressing the particular needs and challenges of developing countries in this context, including with respect to the right to work, the right to development, the right to an adequate standard of living and the protection of cultural heritage as a fundamental component of access to the right to participate in cultural life;

(l) Promote the efforts of Member States to strengthen their national mechanisms aimed at ensuring accountability and remedy, in line with their respective obligations under international human rights law, including in relation to violations and abuses committed by non-State actors;

(m) Promote South-South cooperation, both as part of the decision-making process in the United Nations in general and at the Council in particular;

(n) Lead the development of enhanced regional cooperation in the area of protection of all human rights and fundamental freedoms, including through the Human Rights Council, especially by using the virtue of being a founder of and an active player in a number of key regional and political organizations, such as the African Union, the League of Arab States, the Non-Aligned Movement and the Organization of Islamic Cooperation;

(o) Encourage more cooperation and political dialogue in the field of human rights within the African continent in order to enhance human rights and fundamental freedoms in the continent through the implementation of the African Charter on Human and Peoples' Rights, the African Charter on the Rights and Welfare of the Child and the African Peer Review Mechanism; and continue to engage in the consideration of the protocols to the African Charter on Human and Peoples' Rights, relating to the rights of women and to the African Court of Justice and Human Rights. In general, Egypt remains committed to the enhancement of the African human rights structure and to the strengthening of the role of the African Commission on Human and Peoples' Rights, and to building on its achievements, particularly its rich jurisprudence, including through providing training programmes for experts from the African continent and developing countries.

6. At the national level, the Government of Egypt will:

(a) Continue to strengthen the national human rights framework and the foundations for a modern and democratic society. Egypt is committed to upholding the rights of its citizens in line with its respective international legal obligations and to continue to develop and strengthen its national human rights institutions and national human rights frameworks as the backbone of the protection of rights and freedoms of its citizens, as enshrined in the Constitution. It adopted a new Constitution in 2014 that reflects all such obligations and others, and ensures that international obligations are part of national laws. It has also held, over the past two years, presidential and parliamentary elections, which reflected the level of freedom and new guarantees of rights and freedoms and had the widespread participation of local and international representatives and civil society organizations. The Egyptian Parliament (the House of Representatives) started its sessions at the beginning of 2016 and, with its legislative authority, started to exercise its constitutional mandate to conduct oversight of the actions of the Government. The Government also made this commitment a national priority on the basis of an agenda of comprehensive

reform and institutional development aimed at meeting the aspirations of 90 million Egyptians who made their voices heard clearly in two consecutive revolutions and through their wide support of a national road map for the future;

(b) Engage in a process of review of national laws to ensure their conformity with the Constitution and the full protection of internationally recognized human rights and fundamental freedoms. The Egyptian Constitution of 2014 has expanded the level and scope of protection of rights and freedoms, and introduced protections for rights never covered by similar documents in Egypt, ensuring that respect for and the protection of rights and freedoms is a part of the national political system. More specifically, it has extended protection for rights enshrined in the Universal Declaration of Human Rights and the two International Covenants, introduces protection for rights and freedoms never codified in Egyptian Constitutions or legislations, such as freedoms of belief, thought and opinion, the rights to peacefully assemble and to strike, the right to dignity for all citizens and the rights to freedom of scientific research and artistic and literary creativity, and expands protections for women, children, older persons and persons with disabilities and ensures their full inclusion in society. It also establishes equality among all citizens and ensures their enjoyment of rights and freedoms without discrimination on any grounds, including through the establishment of an anti-discrimination commission. One of the first tasks of the new Parliament was to review different laws and legislation issued during the transitional period. It is also entrusted with the mission to ensure that existing and new Egyptian laws and legislation fully conform to the Constitution. In line with its constitutional capacity to propose legislation, the Government is currently elaborating a number of draft laws to assist the Parliament in such an important task, including a draft law regulating the building and renovation of places of worship, such as churches. It has engaged civil society and society at large in various phases of the legislative process, including a significant number of draft laws dealing with various human rights issues. Finally, the judiciary plays a key role in scrutinizing the result of this process, especially through the work of the Supreme Constitutional Court;

(c) Work on strengthening national human rights institutions and developing their role within the international human rights framework, and review in this context the laws governing the mandate of the Egyptian National Council for Human Rights, accredited with "A" status by the Global Alliance of National Human Rights Institutions, in addition to laws governing the mandates of the national councils for women, children and persons with disabilities;

(d) Remain committed to further strengthening national redress mechanisms available to all citizens, with a view to enabling them to report complaints to be examined and investigated by relevant authorities and for the perpetrators to be held accountable;

(e) Continue to promote a human rights culture and human rights education and training at the national level. In this regard, it is worth mentioning that a number of Egyptian universities are currently providing courses on an introduction to human rights. In addition, capacity-building programmes have been provided to law enforcement bodies to ensure conformity with international standards;

(f) Promote the constructive role of legally registered NGOs and civil society at large in the promotion of human rights at all levels and develop the necessary partnership with civil society organizations in order to ensure that their voices are represented in the international human rights system as partners in the promotion and advancement of the rights of all populations. Egypt highly recognizes the pivotal role played by civil society and NGOs in support of the efforts of the State in the several social, economic and political spheres. At the national level, this fact has been reflected in the regular consultations between the Government and civil society organizations. The new Constitution clearly states in article 75 that all citizens shall have the right to form associations and similar institutions on a democratic basis, which shall acquire legal status upon notification. Accordingly, the Government has embarked on a multi-step process of reviewing and amending Law No. 84 of 2002 on NGOs and institutions in Egypt. The Ministry of Social Solidarity has held many meetings and workshops with representatives of Egyptian civil society to discuss and put forward proposals for amending the law. It is worth noting that 770,000,000 Egyptian pounds, representing 90 per cent of the requests for funding from foreign sources, have been approved. Consequently, it is no surprise that the number of NGOs registered with the Ministry of Social Solidarity has risen to around 47,000, from 26,000 in 2010. Non-Egyptian NGOs are also welcome to work in Egypt, as long as they undergo the normative and procedural framework set by the Egyptian Government, which is in line with Egypt's international obligations. There are currently 93 registered foreign NGOs working freely in Egypt. The competent authorities review the registration requests submitted by the NGOs and entities through a national committee composed of representatives of the authorities concerned with the civil work in Egypt;

(g) Remain committed to the commitments undertaken in the framework of the universal periodic review mechanism. Egypt has accepted over 80 per cent of the recommendations presented to it during its review session in November 2014. A permanent national committee for human rights was established to follow up on the implementation of the recommendations. The committee has issued a number of decisions to that effect, frequently engages with civil society organizations and will be leading national efforts for the preparation of Egypt's upcoming review under the third universal periodic review cycle;

(h) Engage with OHCHR in order to expand the current level of cooperation and identify areas where technical assistance can have a specific impact according to national priorities. Egypt is currently engaging with OHCHR in order to start implementation of a technical cooperation programme, which focuses on capacity-building in domains of special importance to the national efforts in protecting and promoting human rights;

(i) Remain committed to submitting its periodic national reports to treaty bodies of the treaties to which Egypt is party and to review reservations on and the status of ratification of the different regional and international agreements. Egypt has engaged in a revision of its position with respect to the different international and regional instruments relating to human rights. One of the latest outcomes of this process was the withdrawal of Egypt's reservation on article 21 (2) of the African Charter on the Rights and Welfare of the Child, concerning the minimum age of marriage for both sexes. In addition, the national committee for human rights is

currently reviewing the number of periodic national reports that have not yet been duly submitted in order to begin their preparation;

(j) Increase engagement and cooperation with the special procedures mandate holders of the Human Rights Council, including by intensifying the frequency of visits of special procedures to Egypt. A number of Special Rapporteurs have visited Egypt since 2009, including the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Special Rapporteur on the human right to safe drinking water and sanitation and the Special Rapporteur on trafficking in persons, especially women and children. The Government has been considering additional visit requests by special procedures with the aim of accepting them. Recently, Egypt extended invitations to four mandate holders, and is in the process of finalizing the necessary relevant arrangements.